
OLR Bill Analysis

sSB 156 (File 405, as amended by Senate "A")*

AN ACT CONCERNING SIBLING VISITATION FOR CHILDREN IN THE CARE AND CUSTODY OF THE COMMISSIONER OF CHILDREN AND FAMILIES.

SUMMARY:

This bill establishes minimum visitation requirements for separated siblings of children placed in Department of Children and Families' (DCF) care and custody, including children in foster homes. Specifically, it requires the DCF commissioner, within available appropriations and provided the siblings live in the state and within 50 miles of each other, to ensure that visits occur, on average, at least once a week, unless the commissioner determines that allowing such frequent visits would not be in the siblings' best interests. When the commissioner makes such a determination, she must state her reasons in the child's treatment plan.

The bill requires the commissioner to report by October 1 annually to the Select Committee on Children data sufficient to demonstrate DCF has complied with the entire sibling visitation law.

The bill also requires the DCF commissioner to meet with members of each Youth Advisory Board to get recommendations for creating a "Sibling Bill of Rights." DCF must incorporate the final version of this document into department policy and share it with children placed in its care and custody.

*Senate Amendment "A" narrows the circumstances in the underlying file in which weekly sibling visitation must occur and makes technical changes.

EFFECTIVE DATE: October 1, 2014 for the sibling visitation provisions and upon passage for the Sibling Bill of Rights provisions.

WEEKLY VISITS FOR SEPARATED SIBLINGS

By law, DCF must ensure that a child placed in its care or custody either through an order of temporary custody or commitment is provided visits with his or her parents and siblings, unless the court orders otherwise.

If the child has an existing relationship with a sibling and is separated from that sibling as a result of DCF intervening, including placing the child in a foster home or the home of a relative, DCF must ensure that the child has access to, and visitation rights with, that sibling, based on a consideration of the child's best interests. In determining the number, frequency, and duration of visits, the commissioner must consider each sibling's best interests given their age, developmental level, and continuation of the sibling relationship.

The bill requires the commissioner to ensure that the child's visits with the siblings occur at least once a week if (1) a child and his or her sibling are residing in Connecticut and live within 50 miles of each other, (2) the commissioner finds that such frequent visits are in the siblings' best interests and (3) visits are possible within available appropriations.

If the DCF commissioner determines that weekly visits are not in either sibling's best interest, the bill requires her to include the reasons for this determination in the child's treatment plan.

SIBLING BILL OF RIGHTS

The bill requires the DCF commissioner to meet with the members of each Youth Advisory Board (YAB) to gather recommendations for and draft a "Sibling Bill of Rights." This document can include (1) ways to protect relationships of siblings who are separated as a result of DCF's intervention and (2) DCF's commitment to preserve these relationships.

DCF must incorporate the final version of the bill of rights into departmental policy and share it with each child who is placed in the commissioner's care and custody. The DCF commissioner and the YAB

members must also submit the bill of rights to the Select Committee on Children by October 1, 2013, for its consideration of possible legislative action.

BACKGROUND

Youth Advisory Board

The YAB is composed of youth in DCF care. The board addresses DCF policies and procedures that affect them. Youth on the board also establish civic connections within their communities as they transition from out-of-home care.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Change of Reference

Yea 12 Nay 0 (03/06/2012)

Human Services Committee

Joint Favorable

Yea 16 Nay 0 (03/22/2012)

Appropriations Committee

Joint Favorable

Yea 47 Nay 0 (04/30/2012)